

UNITED STATES DISTRICT COURT

for the

Western District of Texas

FILED

September 04, 2020

United States of America

v.

Jonathan Almonte

Case No.

7:20-MJ-310

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY M. Ramirez

DEPUT

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

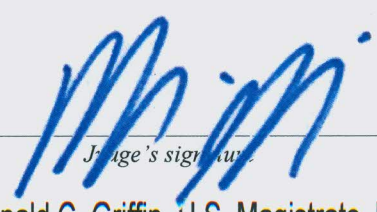
On or about the date(s) of 9/4/2020 in the county of Andrews in the
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*18 U.S.C. 659
18 U.S.C. 2314
18 U.S.C. 371Theft of Oil From an Interstate Shipment.
Interstate Transportation of Stolen Property, namely Oil.
Conspiring to Commit Offense, namely violations of 18 U.S.C. 659 and 2314.

This criminal complaint is based on these facts:

See attached affidavit of TFO Deborah Puckett.

☒ Continued on the attached sheet.Attested to by applicant pursuant to Rule
4.1 of Fed. R. Crim. P. by phone & email./s/ Deborah Puckett*Complainant's signature*Deborah Puckett, TFO*Printed name and title*

Sworn to before me and signed in my presence.

Date: 09/04/2020City and state: Midland, TX
*Judge's signature*Hon. Ronald C. Griffin, U.S. Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Deborah Puckett, being first duly sworn, hereby depose and state as follows:

1. I am a Task Force Officer with the Federal Bureau of Investigation (“FBI”) and have been so employed since 2017. Before that, I was a police officer in Texas for approximately 7 years. I am currently assigned to the FBI office in Midland, Texas where I am responsible for conducting investigations of criminal violations. I am assigned to investigate oilfield theft and fraud. As part of my duties, I investigate crimes involving theft of oil, pipe, sand, and fraud pertaining to oilfield companies.

2. This affidavit is made in support of an application for a criminal complaint against JONATHAN ALMONTE for committing the federal offenses of INTERSTATE SHIPMENTS BY CARRIER, in violation of Title 18, United States Code, Section § 659; INTERSTATE TRANSPORTATION OF STOLEN PROPERTY, in violation of Title 18, United States Code, Section § 2314; and CONSPIRING TO COMMIT OFFENSE, in violation of Title 18, United States Code, Section § 371.

3. The facts and information set forth in this affidavit are based on my personal observations, my training and experience, and, as specifically attributed below, information obtained from law enforcement officers and witnesses. To the extent that any information in the affidavit is not my personal knowledge, it has been made available to me through reliable law enforcement sources and I believe such information to be true. This affidavit is made for the sole purpose of demonstrating probable cause for the issuance of the requested complaint and does not purport to set forth all my knowledge of, or investigation into this matter. In addition, where I report information I learned from others or from reviewing documents and reports prepared by others, such information is recounted in sum and substance and in relevant part.

STATEMENT OF PROBABLE CAUSE

4. In May, 2020, the Federal Bureau of Investigation's Permian Basin Oilfield Theft Task Force initiated an investigation into oil thefts in the area, ongoing since February, 2020. During the course of the investigation, law enforcement identified Juan Carlos Rodriguez, Jose Leonardo Rodriguez-Angeles, and JONATHAN ALMONTE, as subjects in the oil thefts. They utilized a 2013 white Freightliner truck bearing Texas license plate R438197 and hauling a blue trailer bearing Texas license plate 150C828, and a 2013 blue Freightliner truck bearing Texas license plate 1M52995 and hauling a white trailer bearing Texas license plate 125B103. Additionally, a rental vehicle was typically used to facilitate local movement for the three conspirators and employed by Almonte to assist with victim location identification and as a lookout during theft incidents.

5. On or about May 28, 2020, law enforcement was conducting surveillance of subjects believed to be involved in oil thefts. Juan Carlos Rodriguez, Jose Leonardo Rodriguez-Angeles, and JONATHAN ALMONTE were observed operating two Freightliner tractor trailer semi-trucks and a rental vehicle at a Love's Travel Stop near Eunice, New Mexico, then later the same night on oil production leases northwest of Andrews, Texas. Rodriguez and Angeles drove the semi-trucks to multiple lease locations. It was later confirmed that 220, 200, and 95 barrels of oil were stolen from three separate locations in the immediate area. The collective value of this stolen oil is well in excess of \$5000. Almonte was in the area in the rental vehicle acting as a lookout and traveling in tandem with the trucks.

6. Telephone records analysis indicated that the three were in communication during the thefts. The three then transported the oil across the Texas State Line into New Mexico, where it was disposed of at a location owned by Toro Operating Company, near Eunice, New Mexico.

The thefts took place in violation of 18 U.S.C. § 659, Theft from Interstate Shipment. The subjects actions indicated a coordinated effort in the commission of the crimes, in violation of Title 18 U.S.C. § 371, Conspiracy. The stolen oil was transported in violation of Title 18 U.S.C. § 2314, Interstate Transportation of Stolen Property.

7. On or about September 3, 2020, marking the third afternoon of a staging and scouting pattern established by the subjects, investigators located the two semi-trucks where they were parked together at the Kwik Check #71 truck stop, located at 2503 Rankin Highway in Midland, Texas. Juan Carlos Rodriguez, Jose Leonardo Rodriguez-Angeles, and JONATHAN ALMONTE were again at the trucks and utilizing a rented black Chevrolet 1500 pickup for a scout vehicle. The semi-trucks were discovered later that evening to have moved to the Love's Travel Stop located at 1201 South Main Street in Andrews, Texas. The semi-trucks departed in tandem to an oil production area northwest of Andrews, Texas where investigators were able to ascertain that one of the trucks was stopped at a tank battery. Upon departure, the truck was followed to a location near Odessa, Texas, owned by Toro Operating Company, where it rejoined the second truck. Both trucks were observed at the location unloading oil taken from Andrews County. The lease operator confirmed that approximately 118 barrels of oil were stolen from the Matador University Lease located along the road NW 2001 in Andrews County. The value of this stolen oil is well in excess of \$1000. The theft took place in violation of at U.S.C. § 659, Theft from Interstate Shipment.

8. Following their offload, the semi-truck drivers were observed returning to Andrews County and stopped at a Fleur de lis Energy lease, where they backed up together at the tank batteries and prepared fittings to pump oil from them and into their truck. The location was known to Andrews County law enforcement as a previous victim of the same conspirators in May, 2020.

They were stopped during the process of their load-line hookup by Andrews County law enforcement, to prevent any further thefts by the subjects. The lease operator was called to the location and confirmed that the drivers were not authorized to be on the location, no oil pickup was scheduled, and any attempt to hook lines to the location would be an attempt to steal product.

CONCLUSION

9. Not every fact known about this case is included in this affidavit, but only those necessary to establish probable cause. Based on the foregoing, your affiant believes probable cause exists to issue a warrant for the arrest of JONATHAN ALMONTE for violation of Titles 18 U.S.C. §§ 2314, 659, and 371.

10. Convictions for violations of 18 U.S.C. §§ 2314 and 659 each carry a sentence of up to ten (10) years imprisonment, up to a \$250,000 fine, up to three (3) years of supervised release, and a \$100 special assessment fee. A conviction for a violation of 18 U.S.C. § 371 carries a sentence of up to five (5) years imprisonment, up to a \$250,000 fine, up to three (3) years of supervised release, and a \$100 special assessment fee.

11. Prosecution in the Western District of Texas has been authorized by Assistant United States Attorney John Fedock.

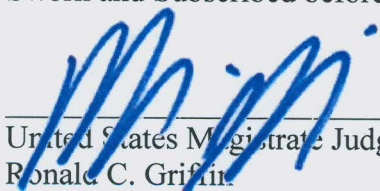
Respectfully submitted,

/s/ Deborah Puckett

DEBORAH PUCKETT
Task Force Officer
Federal Bureau of Investigation

Attested to by applicant pursuant to Rule
4.1 of Fed. R. Crim. P. by phone & email.

Sworn and Subscribed before me this 4th day of September, 2020.



United States Magistrate Judge
Ronald C. Griffin